

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MBD NO. 04-10105-GAO

LEE N. KOEHLER,
Plaintiff

v.

A. DAVID DODWELL,
Defendant

ORDER
April 26, 2004

O'TOOLE, D.J.

The plaintiff has moved for a charging order, invoking Mass. Gen. Laws ch. 156C, § 40. There is neither a certificate that the motion was served on the defendant nor a showing that ex parte relief is warranted. Therefore, the plaintiff's motion for a charging order is denied without prejudice. The plaintiff may re-file the motion either with notice to the defendant or with appropriate support for proceeding ex parte.

It is SO ORDERED.

DATE

April 24, 2004

DISTRICT JUDGE

[Signature]